

Joseph Swift

From: planninginfo@midsussex.gov.uk
Sent: 05 October 2026 16:26
To: Joseph Swift
Subject: Mid Sussex DC - Online Register - Comments for Planning Application DM/26/1974

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 05/10/2026 4:25 PM.

Application Summary

Address:	9 Morton Road East Grinstead West Sussex RH19 4AF
Proposal:	Variation of condition no.14 relating to planning application DM/23/0925 - addressing discrepancies in levels identified on site and an updated landscaping scheme.
Case Officer:	Joseph Swift

[Click for further information](#)

Customer Details

Address:	17 morton road east grinstead
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Comments Details

Commenter Type:	Neighbour or general public
Stance:	Customer objects to the Planning Application

Reasons for comment:

Comments: Dear Mr Swift,

I write to object formally to application DM/26/1974.

Having reviewed the current submission alongside the approved planning permission, discharged conditions and landscape documentation, I do not consider that sufficient evidence has been submitted to justify variation of Condition 14.

Whilst presented as a landscaping amendment, the application is founded upon a materially more significant issue, namely the applicant's acknowledgement that "discrepancies in levels identified on site" mean approved hedge planting can no longer be safely implemented.

This is not a minor design alteration. It raises fundamental questions regarding:

Whether development has been constructed in accordance with approved levels.
Whether the approved landscaping scheme was genuinely deliverable.
Whether the environmental and amenity safeguards secured by the original permission remain capable of being achieved.

Whether neighbouring residents are now being asked to accept a reduced scheme to resolve problems that have arisen during construction.

1. Previous Concerns Regarding Site Levels Now Require Formal Investigation

Concerns regarding site levels and their consequences were raised repeatedly during the planning history of this development.

The current application now expressly acknowledges "discrepancies in levels identified on site" and relies on those discrepancies as the justification for removing approved landscape elements.

This materially reinforces the need for investigation rather than retrospective acceptance of a reduced landscaping scheme.

Before this application is determined, the Council should require the applicant to explain:

When the discrepancies were first identified.

How the discrepancies arose.

Who verified the constructed levels.

Whether the development has been built in accordance with approved plans and sections.

Why the approved landscaping can no longer be delivered.

Whether alternative engineering or planting solutions have been considered.

Whether any departure from approved levels should be investigated separately as a planning compliance or enforcement matter.

The Council should also set out:

When level concerns were first raised by residents.

What assessment was undertaken in response.

Whether earlier planning or condition-discharge decisions relied upon information now shown to be inaccurate, incomplete or unachievable.

If errors occurred in the submitted information, construction setting-out, condition-discharge process or regulatory assessment, they should be identified transparently and corrected rather than regularised by removing landscaping safeguards originally required to make the development acceptable.

2. Insufficient Level Information

The application does not provide a sufficiently detailed comparison between:

Approved levels.

Constructed levels.

Revised proposed levels.

Without this information it is impossible to properly assess:

Privacy impacts.

Visual dominance.

Overbearing effects.

Accessibility impacts.

Drainage performance.

Planting viability.

Erosion risks.

Long-term maintenance requirements.

The Council should require:

A verified topographical survey.

An approved-versus-as-built-versus-proposed comparison schedule.

Cross-sections through Plots 4/5 and Plots 6/7.

Boundary sections.

Finished floor levels.
Banking gradients.
Details of retaining structures.
Details of any engineering works required to support the revised scheme.
3. Loss of Approved Screening and Residential Amenity

The omitted hedges formed part of the approved landscape strategy.

They were not merely decorative planting.

They provided:

Visual screening.
Landscape softening.
Separation between dwellings.
Ecological value.
Additional environmental mitigation.

The applicant has not demonstrated that the revised scheme delivers equivalent benefits.

Nor has the application demonstrated:

Expected screening height.
Plant species.
Establishment period.
Planting density.
Long-term maintenance arrangements.

The Council should assess these matters against Policy DP26 and Policy EG3, particularly given that Condition 14 was imposed specifically to protect visual amenity and environmental quality.

4. Why Was Condition 14 Discharged If The Scheme Was Not Achievable?

This is perhaps the most fundamental question raised by the application.

Condition 14 was previously discharged.

The applicant now states that approved landscaping cannot safely be implemented because of level discrepancies.

The Council should therefore establish:

Whether the approved scheme was actually achievable at the time of discharge.
Whether the approved levels were correctly represented.
Whether the built levels differ from those approved.
Whether the landscaping approved under Condition 14 was capable of being delivered at the constructed levels.

If the approved landscaping cannot be implemented because of site conditions now present, it is reasonable to question whether those conditions were properly assessed at the time Condition 14 was discharged.

This issue should be resolved before any variation is approved.

5. Biodiversity Implications Remain Unproven

The original permission secured ecological mitigation and biodiversity enhancement through Conditions 4 and 5.

The application does not adequately demonstrate that the revised scheme will continue to provide the approved ecological benefits.

The Council should require:

- A quantified comparison of approved and revised planting.
- A comparison of hedge lengths.
- A comparison of plant numbers and species.
- A biodiversity impact assessment.
- Written confirmation from a qualified ecologist that the revised scheme remains compliant with Policy DP38.

It is not sufficient to simply state that the revised landscaping remains acceptable.

That conclusion requires evidence.

6. Drainage, Runoff, Erosion and Slope Stability

This is a key issue.

The applicant's position is effectively that the levels constructed on site are so different from those anticipated that approved hedge planting can no longer be safely established.

If gradients are sufficiently severe to prevent implementation of approved landscaping, it should not simply be assumed that there are no implications for:

- Surface water runoff.
- Water attenuation.
- Soil stability.
- Erosion.
- Gully loading.
- Long-term drainage performance.

The revised drawings include significant gradients and landscape banking.

Vegetation and hedge planting do not merely provide screening.

Established planting contributes to:

- Soil retention.
- Surface water interception.
- Reduction of runoff velocity.
- Stabilisation of sloping ground.
- Erosion control.

The applicant has not demonstrated that the removal of approved planting from steeply graded areas will have no adverse impact upon:

- Surface water management.
- Drainage performance.
- Bank stability.
- Neighbouring properties.
- Morton Road.
- The site access.

The Council should therefore require confirmation from appropriately qualified drainage and geotechnical professionals that:

- Runoff rates remain unchanged.
- Runoff directions remain unchanged.
- Flood risk is not increased.
- Drainage capacity remains acceptable.
- Erosion risks remain acceptable.
- Any necessary retaining structures or engineering measures have been identified and

included in the revised design.
The revised scheme remains compliant with Condition 3 and Policy DP41.
7. Appropriate Planning Route

The application should not simply be viewed as a request to remove two sections of hedge planting.

The application is founded upon the assertion that approved landscaping can no longer be implemented because of conditions created on site.

Consequently, the Council cannot reasonably assess the acceptability of the revised landscaping without first understanding:

Whether the approved scheme remains achievable.
Whether the development has been built in accordance with approved levels.
Whether level discrepancies arise from an unauthorised departure from approved plans.
Whether a separate compliance or enforcement investigation is required.
Requested Decision

For the reasons set out above, I respectfully request that application DM/26/1974 be refused.

Alternatively, determination should be deferred until the applicant provides:

A verified level survey.
Approved-versus-built comparisons.
Engineering cross-sections.
Drainage evidence.
Geotechnical evidence.
Ecological evidence.
A full explanation of how the discrepancies arose.
A complete schedule identifying every change from the previously approved landscape scheme.

The current application should not be treated as a simple planting amendment.

It raises wider questions concerning site levels, drainage, deliverability, compliance and the validity of the previously discharged landscaping scheme. Existing residents should not be expected to accept the loss of approved screening and environmental safeguards as the means of resolving an inadequately explained construction discrepancy.

I would be grateful if these matters could be addressed specifically within the officer's report and if the Council's response clearly distinguishes between the proposed landscaping variation and any separate question of compliance with approved site levels.

Yours sincerely,

[Redacted Signature]

Where did you
hear about this
application?

Not specified

Kind regards